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January 3, 2005

FILE: UTSC:736US / 10112348

CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

January 3, 2005
Date

Michael C. Barrett
Michael C. Barrett

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: SN 10/027,782 "FORMING AND MODIFYING DIELECTRICALLY-ENGINEERED
MICROPARTICLES" – Gascoyne et al. (MDA02-033)

Commissioner:

Enclosed for filing in the above-referenced patent application is:

- (1) A Response to Restriction Requirement dated December 3, 2004; and
- (2) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

It is believed that no fees are due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/UTSC:736US/MCB.

Respectfully submitted,

Michael C. Barrett

Michael C. Barrett
Reg. No. 44,523

MCB/lak
Enclosure



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gascoyne et al.

Serial No.: 10/027,782

Filed: December 20, 2001

For: FORMING AND MODIFYING
DIELECTRICALLY-ENGINEERED
MICROPARTICLES

Group Art Unit: 1639

Examiner: Shibuya, Mark Lance

Atty. Dkt. No.: UTSC:736US

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January 3, 2005

Date

Michael C. Barrett

Michael C. Barrett

RESPONSE TO RESTRICTION REQUIREMENT DATED DECEMBER 3, 2004

MAIL STOP: AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated December 3, 2004, for which the date for response is January 3, 2005.

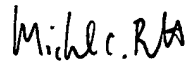
It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/UTSC:736US/MCB.

In response to the restriction requirement which the Examiner imposed, Applicants elect, without traverse, to prosecute claims 1-12 and 53-55, *i.e.*, the Group I claims, drawn to an engineered microparticle fabricated to be dielectrically-dispersive and adapted to produce a dielectric response to an applied electric field such that the microparticle is maneuverable by dielectrophoresis.

In response to the species election imposed by the Examiner, Applicants elect, without traverse, to prosecute the streptavidin species directed to the Group I claims.

The Examiner is invited to contact the undersigned attorney at (512) 536-3018 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Michael C. Barrett
Reg. No. 44,523
Attorney for Applicants

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Date: January 3, 2005